

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2962/P1dn  
MDK:bjk:rs

June 2, 2009

Sen. Plale:

Please note the following about this draft:

1. The instructions refer to customer-sited applications of the specified resources. Therefore, I allowed an electric provider to create a credit based on a customer's or member's use of the resources. (I referred to a member, in addition to customer, because some electric providers are cooperatives, rather than utilities.) However, note there is no requirement for an electric provider to have any involvement with a customer's or member's use of the resource. Is that okay, or should the draft be revised to require some sort of involvement by an electric provider with respect to the customer's or member's use?
2. I did not refer to solar pipe technology because I don't think that the meaning of that term is commonly understood. Instead, I referred to solar energy, including technology that harvests and directs solar energy for use as lighting inside a building. Is that okay, or is additional elaboration necessary? For example, is it possible to interpret my language as allowing use of something as simple as a window?
3. I amended s. 196.378 (3) (c) to clarify that credits created under the bill have the same 4-year "lifespan" as credits created under 2005 Wisconsin Act 141. Is that okay? Note that under current law the PSC may promulgate rules changing the 4-year period.
4. The bill requires the PSC to promulgate rules. In addition, you could impose a deadline on the PSC's submission of proposed rules to legislative council staff. Let me know if you want to include such a requirement.

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